

The Judge David L.

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for Mental Health Law

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Via Electronic Mail

July 24, 2014

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Re: Proposed Motion Regarding Diversion of Individuals with Mental Illnesses from the Criminal Justice System to Community-Based Alternatives.

Dear Honorable Members of the Board:

I write on behalf of the Judge David L. Bazelon Center for Mental Health Law to urge that you vote in favor of the motion made by Supervisor Mark Ridley-Thomas at the meeting of the Board of Supervisors on Tuesday, July 15, 2014, to set aside \$20 million to fund the diversion of people with mental illnesses from the criminal justice system into community-based programs.

The Bazelon Center is a national organization that promotes the community integration of individuals with mental disabilities. Among other priorities, we work to prevent the needless incarceration of such individuals. We pursue policy advocacy, work with federal agencies, and provide technical assistance to states and localities, in addition to bringing impact litigation. In the recent past, we were funded by the Substance Abuse and Mental Health Services Administration (SAMHSA) to provide technical assistance to state mental health directors seeking to reduce the arrest and

incarceration of people with mental disabilities. And in early July of this year, we released in collaboration with the American Civil Liberties Union (ACLU) of Southern California a report entitled, "A Way Forward: Diverting People with Mental Illness from Inhumane and Expensive Jails into Community-Based Treatment that Works." The report, which was endorsed by national mental health groups and state and local stakeholders, urged the use of diversion in Los Angeles, along with the expansion of community-based services.

We strongly support Supervisor Ridley-Thomas's proposed motion. Overwhelming evidence shows that incarcerating people with mental illnesses worsens their disability and increases recidivism, while diverting these individuals to community-based services leads to improved functioning and lowered recidivism. Individuals with mental illnesses experience trauma in jails and prisons, where mental health treatment is often inadequate. Families suffer when their loved ones are imprisoned. Law enforcement resources are sidetracked and tax dollars misspent when a needless arrest or incarceration occurs. Moreover, incarcerating people with mental illnesses is generally more expensive than providing them effective community-based services.

Through our work with experts, the U.S. Department of Justice, and advocates in the field, we are familiar with the difficulties Los Angeles County has faced in providing safe conditions and adequate treatment for jail inmates with mental illness. We believe that Supervisor Ridley-Thomas's proposed motion will go a long way toward correcting these problems, by funding programs that will divert individuals with mental illnesses to community-based programs after they are arrested or jailed, and ensure that, when diverted, these individuals have immediate access to community based-services. In our experience, the most effective community-based services are assertive community treatment (ACT) and supportive housing, which have proven success in reducing arrests and promoting recovery.

We urge you to consider the success stories from around the country that Supervisor Ridley-Thomas highlights in his proposed motion. The Nathaniel Project in New York City uses ACT, supportive housing, and supported employment to successfully transition individuals with mental illnesses from the New York City criminal justice system to community living, and serves individuals convicted of violent felonies as an alternative to incarceration. The Project has demonstrated a 70% reduction in the number of arrests in the two years following program admission compared to the two years before. Chicago's Thresholds Justice Program uses ACT and supportive housing to transition people with mental illnesses entering the community from the Cook County Jail and two state prisons. Thresholds has demonstrated an 89% reduction in arrests, an 86% reduction in jail time, and a 76% reduction in hospitalizations among its participants. The King County (Seattle) Forensic ACT program has demonstrated a 45% reduction in jail and prison bookings among participants.

Dr. Terry Kupers, a nationally-respected expert, has noted in support of this same motion, "The story behind [the] statistics is that individuals with mental illness and substance abuse problems do not do well in jail. As the Department of Justice has recently concluded, and as I concluded in my Report for the ACLU of Southern California in 2008, mental health services at L.A. County Jail are quite inadequate. Meanwhile, inmates with mental illness and substance abuse problems sit idly in the crowded jail and leave jail no better prepared to succeed at 'going straight' in the community." Letter of Dr. Terry Kupers to Los Angeles Board of Supervisors (July 19, 2014). Dr. Kupers urges you to vote in favor of Supervisor Ridley-Thomas's proposed motion, *id.*, and we strongly concur. Los Angeles would do well to invest in community-based approaches, which, without compromising public safety, will better meet the needs of individuals with mental illnesses and reduce County costs.

Please do not hesitate to contact us if we can provide further information on this important issue.

Sincerely,

/s

Ira A. Burnim
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